

ATTACHMENT

**2.5.D. EXAMPLE - PRELIMINARY NOTICE OF INTENT
(PNOI) AND THE DEPARTMENT OF AGRICULTURE
AND MARKETS REVIEW CHECKLIST FOR THE PNOI**

**PRELIMINARY NOTICE OF INTENT
CHECKLIST**

Date Received 3/3/97
Review Date 3/6/97

Dept. NOI # _____ Project Consultant NYS DOT, Watertown Office, Region 7

County Franklin Project Type Road Reconstruction

1. Statement at top of first page: PRELIMINARY NOTICE OF INTENT TO UNDERTAKE AN ACTION WITHIN AN AGRICULTURAL DISTRICT.
☒ yes ☐ no
2. Name/address of public entity undertaking action.
☒ yes ☐ no
3. Identity of county and agricultural district number(s) affected by action.
☒ yes ☐ no
4. Identity of municipality affected by action.
☒ yes ☐ no
5. Brief description of the proposed action including:
 - a. Purpose.
☒ yes ☐ no
 - b. Type of action proposed.
☒ yes ☐ no
 - c. Total number of acres of land, or interest in land, which is expected to be acquired within an agricultural district.
☒ yes ☐ no
6. Brief narrative of the agricultural setting and the project site, if known.
☒ yes ☐ no
7. Summary of anticipated adverse impacts.
☒ yes ☐ no
8. Approximate date of commencement of action.
☒ yes ☐ no
8. Name, title, address and telephone number of individual authorized to respond to Department inquiries.
☒ yes ☐ no
9. Signature of authorized individual.
☒ yes ☐ no

Upon completion of the Division's review of the PNOI, it appears to be complete.



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
317 WASHINGTON STREET
WATERTOWN, N.Y. 13601

RECEIVED

MAR 3 1997

Ag Protection & Development
NYS Dept of Agriculture & Markets

JOHN B. DALY
COMMISSIONER

(cc: legal
3/4)

R. CAREY BABYAK, P.E.
REGIONAL DIRECTOR

February 26, 1997

Mr. Robert C. Somers, Ph.D.
Chief, Agricultural Protection Unit
New York State Department of Agriculture and Markets
I Winners Circle - Capital Plaza
Albany, NY 12235

Dear Mr. Somers:

Re: PIN 7152.53
Rte 37, Malone-Ft. Covington
Towns of Ft. Covington & Westville
Franklin County

Enclosed please find the Preliminary Notice of Intent for the referenced project. A meeting with the agricultural community was held on Monday, December 30, 1996 at the Westville Town Hall. Property owners of agricultural lands located within the project limits (irregardless of the agricultural district boundaries) were contacted by phone and invited to attend the meeting. Department representatives were present between the hours of 1:00 and 4:00 PM to discuss the proposed project with respect to the issues and impacts which are of concern to the agricultural community. A Final Notice of Intent is currently being drafted and will be forthcoming.

If you have any questions or require additional information please contact me at (315) 785-2499.

Sincerely,

Steven J Kokkoris

for William R. Ferguson, P.E.
Regional Design Engineer

Enclosure

cc: S. G. Kokkoris, Regional Design Group

**PRELIMINARY NOTICE OF INTENT
TO UNDERTAKE AN ACTION
WITHIN AN AGRICULTURAL DISTRICT**

P.I.N. 7152.53

NYS ROUTE 37, MALONE-FORT COVINGTON
TOWNS OF FORT COVINGTON AND WESTVILLE, FRANKLIN COUNTY

Prepared by:

New York State Department of Transportation, Region 7
Dulles State Office Building 317 Washington Street
Watertown, New York 13601

Introduction

In accordance with Agricultural and Markets Law, Article 25-AA - Agricultural Districts, Section 305(4) Part 371, Notice of Intent as amended through February 28, 1996, the New York State Department of Transportation has prepared this Preliminary Notice of Intent presenting a description of the proposed project and a summary of the potential adverse agricultural impacts to Franklin County Agricultural District #4 in the Town of Westville, New York. A Final Notice of Intent is presently being prepared quantifying these impacts and describing proposed mitigation which will ensure the continued viability of the Agricultural District and the individual member farms.

Project Description

The proposed project involves reconstruction of approximately 2.9 miles (4.8 km) of Route 37 in the towns of Fort Covington and Westville in Franklin County. Construction is currently scheduled to begin in April 1997. The project consists of two separate segments of Route 37: a southern segment which begins at the intersection of Trout River-Westville Road and extends northward along Route 37 for approximately 2.2 miles (3.5 km), and a northern segment which begins near the intersection of Woolen Mill Road and Route 37 and extends northward along Route 37 for approximately 0.8 miles (1.3 km) and includes the replacement of the bridge carrying Route 37 over the Salmon River. The two roadway segments are separated by approximately 2.2 miles (3.5 km) of Route 37 which have been previously rehabilitated in 1982 and are not included in this project. (See Figure I for the Project Location Map.)

The project description is:

Route 37 Malone - Fort Covington
Towns of Fort Covington and Westville
P.I.N. 7152.53
Franklin County

Asphalt pavement was initially placed on the southern segment of Route 37 in 1908. Right-of-way and property research has indicated that the northern segment of Route 37 was originally part of the Military Highway System dating back to the early nineteenth century. Portland Cement Concrete pavement was originally constructed on the northern segment in 1925.

The present day Route 37 generally follows the same alignments originally constructed in 1908 and 1925. The southern segment closely follows the eastern side of the Salmon River through the Town of Westville. The highway corridor lies in a primarily agricultural area and traverses part of Franklin County Agricultural District #4 (See Figure II). The northern segment of Route 37 lies almost entirely within the former Hamlet of Fort Covington. The area adjacent to the northern segment roadway is primarily commercial and residential in nature and is not part of Agricultural District #4 (See Figure II).

Project Impacts

The construction of the northern segment involves full depth asphalt reconstruction and drainage improvements and will not have any direct impacts on the local agricultural community or the farmlands contained within Agricultural District #4.

The construction of the southern segment, which will include geometric improvements and full depth roadway reconstruction, will impact the agricultural community through the acquisition and conversion of farmlands for highway uses. Sections of the current roadway alignment which dates back to 1908 do not conform to the current state and federal design standards which apply to the functional classification (Rural Minor Arterial) of Route 37. The proposed project would reconstruct the southern segment generally on the current alignment except in areas of non-standard geometric features. In these areas, the improvements to the geometric alignment and the wider roadway/shoulder cross-section will necessitate the acquisition of strip-takings generally paralleling the existing and/or proposed roadway alignment. The proposed acquisitions within the Agricultural District involves four separate parcels of land and total 4.22 Acres (1.707 Hectares). The project will impact two active farms and will involve the conversion of a total of 2.20 Acres (0.890 Hectares) of hayfields/croplands to highway embankment.

At present, an analysis is being conducted quantifying these impacts upon the community and farms. In addition, each proposed acquisition has been analyzed as to necessity and to ensure minimization of the impacts.

Construction will not adversely impact farm operations. Traffic will be maintained along Route 37 throughout the project, as will access to all adjacent properties. No severance of individual farm parcels or farmsteads will occur. Benefits derived from the reconstruction of Route 37 will include a safer, more efficient transportation facility with improved geometrics, a wider highway cross-section, and improved side road access. The 8-ft. (2.4 m) wide stabilized asphalt shoulders proposed with the project are particularly important from a safety standpoint, since they will better accommodate the movement of farm equipment along the highway. In addition, improvements to the vertical and horizontal alignment will improve sight distance which will benefit both the farmer and the motorist.

Another project benefit will be the improvement of drainage within the travel corridor. New roadside ditches will be constructed and new drainage structures will be installed. Contact and coordination with advisory and regulatory agencies and individual farmers has been initiated in order to ensure the project design accommodates the agricultural community and that opportunities to improve access and drainage are identified and addressed.

Specific contacts with the agricultural community include the Federal Aid Public Hearing held on March 29, 1995. Each property owner received an individual letter of invitation to this meeting

and the Farmland Protection Board and Franklin County Soil and Water Service were represented and actively participated. A record of all contacts with their proposed resolution will be included in the Final Notice of Intent.

The Final Notice of Intent will address project impacts in detail and will include measures taken to avoid and mitigate any adverse impacts.

Any questions shall be directed to:

Steven G. Kokkoris, P.E.
N.Y.S.D.O.T. Region 7 Design
Dulles State Office Building
317 Washington Street
Watertown, NY 13601
Ph:(315) 785-2499

I verify that the information contained within this Preliminary Notice of Intent is truthful and accurate to the best of my knowledge.

 2/12/97
Steven G. Kokkoris, P.E. (Date)

